

**TOWN OF IRMO
PUBLIC HEARING AND
REGULAR COUNCIL MEETING**

MAY 17, 2016

The Irmo Town Council held a public hearing and a regular meeting on Tuesday, May 17, 2016 in the Municipal Building. Council members present were Mayor King, Councilmen Pouliot, Waites, Walker and Councilwoman Condom. Others present were Mr. Robert Brown, Town Administrator; Chief Joe Nates; Mr. Eric Hale, Town Attorney; Mrs. Kim Stanley, Clerk/Treasurer and Mrs. Renee Caviness. Mr. Kirk Luther and Mr. Al Dozier, *The New Irmo News* was also present.

PUBLIC HEARING

TO RECEIVE COMMENTS ON THE PROPOSED FY 16/17 BUDGET

Mayor King called the public hearing to order at 7:00 p.m. No one spoke on the proposed FY 16/17 Budget during the public hearing. Mayor King then called the regular meeting to order and Mrs. Condom led the Pledge of Allegiance and Invocation.

READING OF THE MINUTES: Mrs. Condom made a motion to approve the May 3rd, 2016 minutes as submitted. Mr. Waites seconded the motion. The vote to approve the minutes as submitted was unanimous.

REPORT OF STANDING:

A. Administrative Briefing - The Administrator furnished a written briefing to Council in their agenda packets.

Mr. Brown added that the Town is in the third year of receiving Accommodations Tax Money and are close to \$50,000 threshold which will require the Town to appoint an Accommodations Advisory Committee. This committee will make recommendations on how to spend the money

AMENDMENTS TO THE AGENDA: None

CONSIDERATION OF COMMUNICATIONS:

A. Mr. Walker stated that on November 16, 2015 the Mayor requested an opinion from the Attorney General regarding removal of a disruptive Council member. He stated that the Attorney General's opinion did not allow Town Council to remove an elected Council member from a meeting.

B. Mrs. Condom stated that the County of Lexington has a blight program for dilapidated buildings. She would like for the Town to talk to them to get more information on their program.

PRESENTATION BY CITIZENS (AGENDA ITEMS ONLY): None

UNFINISHED BUSINESS

A. SECOND READING OF ORDINANCE 16-07 TO ADOPT THE OPERATING AND CAPITAL BUDGET FOR FY 16/17 (STAFF) :

Mrs. Condom made a motion to approve second reading of Ordinance 16-07 and Mr. Pouliot seconded the motion. The vote for second reading approval of Ordinance 16-07 to adopt the Operating and Capital Budget for FY 16/17 Budget was unanimous.

NEW BUSINESS

A. APPOINTMENT OF MUNICIPAL CLERK (STAFF):

Mayor King stated the current Municipal Clerk, Mrs. Kim Stanley has planned to retire in June 2016. Therefore, Town Council needs to appoint a new Municipal Clerk. Mrs. Condom moved to appoint Mrs. Renee Caviness as Municipal Clerk. Mr. Walker seconded the motion. The vote to approve the appointment of Mrs. Caviness as Municipal Clerk was unanimous.

B. APPROVAL OF RESOLUTION 16-02 TO AUTHORIZE CERTAIN MUNICIPAL OFFICIALS TO CONDUCT BANKING BUSINESS (STAFF):

Mayor King stated that the current resolution lists Mrs. Stanley; therefore, the proposed resolution removes Mrs. Stanley and adds Mrs. Caviness. Mrs. Condom made a motion to approve the resolution and Mr. Pouliot seconded the motion. It was approved unanimously.

C. FIRST READING OF ORDINANCE 16-08 TO AMEND THE IRMO TOWN CODE, CHAPTER 2 – ADMINISTRATION; DIVISION 2 – MEETINGS; SECTION 2-69 – APPEARANCE BY CITIZENS TO ALLOW RESIDENTS AND LICENSED BUSINESSES OF THE TOWN TO SPEAK BEFORE OTHER OUT OF TOWN RESIDENTS OR BUSINESS OWNERS (MAYOR):

Mrs. Condom made a motion to approve first reading of Ordinance 16-08 and Mr. Pouliot seconded the motion. Mr. Walker questioned the need to amend this ordinance. The motion passed by a vote of 4-1 with Mr. Walker voting in opposition.

D. FIRST READING OF ORDINANCE 16-09 TO AMEND THE IRMO TOWN CODE, CHAPTER 22 – OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE IV – OFFENSES AGAINST THE PUBLIC PEACE; SECTION 22-101 – DISORDERLY CONDUCT (MAYOR):

Mrs. Condom made a motion to approve first reading of Ordinance 16-09 and Mr. Waites seconded the motion. Mr. Walker voiced his concerns regarding the need to amend this ordinance. Mayor King stated that this and the following ordinances will help clarify the law and ensure compliance with the state statues. The vote was 4 to 1. Mr. Walker voted in opposition.

E. FIRST READING OF ORDINANCE 16-10 TO AMEND THE IRMO TOWN CODE, CHAPTER 30 – TRAFFIC AND VEHICLES; ARTICLE III – STOPPING, STANDING AND PARKING; SECTION 30-75 VISION OBSTRUCTION (MAYOR):

Mr. Waites made a motion approve first reading of Ordinance 16-10 and Mrs. Condom seconded the motion. After a brief discussion with Mr. Walker, the vote to approve first reading of ordinance 16-10 was 4 to 1. Mr. Walker voted in opposition.

F. FIRST READING OF ORDINANCE 16-11 TO AMEND THE IRMO TOWN CODE, CHAPTER 30 – TRAFFIC AND VEHICLES; ARTICLE III – STOPPING, STANDING AND PARKING; SECTION 30-73 PARKED VEHICLE AS PUBLIC NUISANCE (MAYOR):

Mr. Pouliot made a motion to approve first reading of Ordinance 16-11. Mrs. Condom seconded the motion. Mr. Walker questioned the need to amend this ordinance because it was his understanding that the Police Department can track their abatement notices. Mr. Hale stated that this ordinance cannot be enforced. Chief Nates stated there is no way for the Police Officer to look up past due parking violations and fines. The vote to approve first reading was 4 to 1. Mr. Walker voted in opposition.

G. FIRST READING OF ORDINANCE 16-12 TO AMEND THE IRMO TOWN CODE, CHAPTER 22 – OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE V – OFFENSES AGAINST PUBLIC MORALS; DIVISION 2 – DRUG PARAPHERNALIA (MAYOR):

Mrs. Condom made a motion to approve first reading of ordinance 16-12 and Mr. Pouliot seconded the motion. Mr. Walker stated his concern to amend the current town code. Mayor King stated that Ordinance 16-12 will put the Town's ordinance in accordance with state law. Chief Nates stated the current town code exceeds the penalty in state law. Our ordinance says drug paraphernalia is criminal charge but state law says that it is a civil charge. Therefore, it is unenforceable in the Town's court. The vote to approve first reading of Ordinance 16-12 was 4 to 1 with Mr. Walker voting in opposition.

H. APPROVAL TO PURCHASE PROPERTY OWNED BY GLENN DAVIS FOR \$130,000 (3.4 ACRES ON EASTVIEW DRIVE ADJACENT TO THE ENTRANCE OF THE COMMUNITY PARK OF IRMO) (WALKER):

Mr. Walker made a motion to purchase property owned by Glenn Davis for \$130,000. The motion was not seconded. Therefore, the motion failed.

PRESENTATION BY CITIZENS:

Dave Logsdon, 600 Timberleaf Court, addressed Council regarding the beautiful landscaping in the town.

DISCUSSION:

A. RE-EVALUATE TOWN ATTORNEY POSITION (WALKER):

Mr. Walker wanted clarification of the role of Mr. Hale and his law firm. Mr. Hale stated that he will be the attorney to represent the Town in court unless he is unavailable. At that point, he will chose another attorney of the firm to represent him in his absence. Mr. Walker wanted a contract to address Mr. Hale's duties. Mayor King stated that we have the same agreement as the previous attorney.

EXECUTIVE SESSION: None

ADJOURNMENT: There being no further business, Mr. Waites made a motion to adjourn and Mrs. Condom seconded it. The motion was approved unanimously; therefore, the meeting was adjourned at 8:07 p.m.

Hardy King, Mayor

ATTEST:

Renee Caviness, Clerk/Treasurer